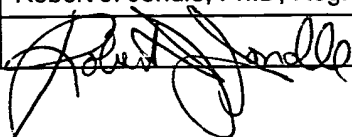


<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		Attorney Docket No. 1328-004A	
		First Inventor Wayne P. FITZMAURICE	
		Title Interspecific <i>Nicotiana</i> Hybrids and Their Progeny	
		Express Mail Label: EV207752570US	

22264 U.S. PTO  
 10/668871  
 09/18/03

<input checked="" type="checkbox"/> <b>Assignee Information:</b> LARGE SCALE BIOLOGY CORPORATION					
<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.			<b>ADDRESS TO:</b> Assistant Commissioner of Patents Box Patent Application Washington, D.C. 20231		
1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Applicant claims small entity status. 3. <input checked="" type="checkbox"/> Specification Total pages [26] <i>(preferred arrangement set forth below)</i> - Descriptive title of the invention - Cross references to Related Applications - Statement Regarding Fed sponsored R&D - Reference to sequence listing, a table or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings - Detailed Description - Claims - Abstract of the Disclosure 4. <input type="checkbox"/> Drawing(s) (35 USC 113) (Total Sheets) [ ] 5. <input checked="" type="checkbox"/> Oath or Declaration (Total Pages) [ 1 ] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i> <b>[Note Box 5 below]</b> i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, 6. <input checked="" type="checkbox"/> Application Data Sheet.			7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program 8. Nucleotide and/or Amino Acid Sequence Submission a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statement verifying identity of above copies  <div style="text-align: center;"><b>ACCOMPANYING APPLICATION PARTS</b></div> 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i> <input type="checkbox"/> Power of Attorney 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 12. <input type="checkbox"/> Information Disclosure Statement /PTO 1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s). 16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). 17. <input checked="" type="checkbox"/> Other: Certificate of Express Mail EV207752570US		
17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below or in an application Data Sheet under 37 CFR 1.76:: <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: 10/043,198 Prior application information: Examiner <u>David Kruse</u> Group/Art Unit <u>1638</u> For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.					
<input checked="" type="checkbox"/> Customer Number or Bar Code Label 32905					
Address		Jondle & Associates PC 9085 East Mineral Circle, Suite 200			
City	Centennial	State	CO	Zip Code	80112
Country	U.S.A.	Telephone	303-799-6444	Fax	303-799-6898
Name		Robert J. Jondle, Ph.D, Reg. No. 33,915			
Signature 				Date September 18, 2003	

09/18/03 16367 U.S. PTO

**FEE TRANSMITTAL  
for FY 2003  
(Small Entity)**

Complete if Known

Application Number	10/
Filing Date	
First Named Inventor	Wayne P. FITZMAURICE
Examiner Name	
Group Art Unit	

Total Amount of Payment	(\$375.00)	Attorney Docket Number	1328-004A
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**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 50-2368 in the name of Jondle & Associates P.C.
- ☐ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status.
2. ☒ Payment Enclosed:
- ☒ Check
- ☐ Credit Card

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
2051	65	Surcharge - late filing fee or oath	[ ]
2052	25	Surcharge - late provisional filing fee or cover sheet	[ ]
1053	130	Non-English specification	[ ]
1812	2,520	For filing a request for reexamination	[ ]
1804	920	Requesting publication of SIR prior to Examiner action	[ ]
1805	1,840*	Requesting publication of SIR after Examiner action	[ ]
2251	55	Extension for reply within first month	[ ]
2252	205	Extension for reply within second month	[ ]
2253	465	Extension for reply within third month	[ ]
2254	725	Extension for reply within fourth month	[ ]
2255	985	Extension for reply within fifth month	[ ]
2401	160	Notice of Appeal	[ ]
2402	160	Filing a brief in support of an appeal	[ ]
2403	140	Request for Oral Hearing	[ ]
1451	1,510	Petition to institute a public use proceeding	[ ]
2452	55	Petition to revive -unavoidable	[ ]
2453	650	Petition to revive - unintentional	[ ]
2501	650	Utility issue fee (or reissue)	[ ]
2502	235	Design issue fee	[ ]
2503	315	Plant issue fee	[ ]
1460	130	Petitions to the Commissioner	[ ]
1807	50	Processing fee under 37 CFR 1.17(q)	[ ]
1806	180	Submission of Information Disclosure Statement	[ ]
8021	40	Recording each patent assignment per property (times number of properties)	[ ]
2809	375	Filing a submission after final rejection (37 CFR .129(a))	[ ]
2810	375	For each additional invention to be examined (37 CFR 1.129(b))	[ ]
2801	375	Request for Continued Examination (RCE)	[ ]
1802	900	Request for expedited examination of a design application	[ ]
1504	300	Publication fee for early, voluntary, or normal publication	[ ]
1505	300	Publication fee for republication	[ ]
1455	200	Filing an application for patent term adjustment	[ ]
1456	400	Request for reinstatement of term reduced	[ ]
Other fee (specify)			[ ]

**FEE CALCULATION**

**1. FILING FEE**

Fee Code	Fee \$	Fee Description	Fee Paid
2001	375	Utility filing fee	[375.00]
2002	165	Design Filing Fee	[ ]
2003	260	Plant Filing Fee	[ ]
2004	375	Reissue Filing Fee	[ ]
2005	80	Provisional Filing Fee	[ ]

**SUBTOTAL \$375.00**

**2. CLAIMS**

Total Claims	Independent Claims	Multiple Dependent Claims	Extra Claims	Fee	Fee Paid
[4]	- 20** = [ ]	x		\$ 9 = [ ]	
[1]	- 3** = [ ]	x		42 = [ ]	
	+			140 = [ ]	

\*\*or number previously paid, if greater;

**SUBTOTAL \$**

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL \$**

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Robert J. Jondle, Reg. No. 33,915		
SIGNATURE	DATE	September 18, 2003	DEPOSIT ACCOUNT USER ID